

**custodial provisions for women -  
an empirical study of karnataka central prison**

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**Abstract**

*Women in general are considered as the marginalized group in India and when we talk about the women who are imprisoned or in custody they are of course the real marginalized ones. The status of women in India has improved a lot compared to the earlier days. This is only because of her hard work that the position of women has been improved. The urbanization, globalization and industrialization are the main reasons where the women got opportunity to come out of the four walls and make her recognized to the outside world. But as there are always two faces of the coin it was not easy for the women to have a creamy life at this stage. There was a dark life opened on the other side which was the result of the free life of women and this stage has made some women to be behind the bars or under the custody.*

***Criminality of women** has long been neglected because of traditional belief that women are law abiding and are less crime prone. Like women criminality women prisonization and rights of the women prisoners has also been neglected by the policy makers and also by the authorities. The custodial justice for the women in particular has become important because of the changing economic and social scenario, enhanced women's involvement in crimes and increased rapidly. The custodial offences against women prisoners have also increased making it necessary to undertake a critical study of the existing legal provisions, their systematic violation and the ways and means, legally and practically, to plug the loopholes in the treatment of women prisoners at various stages of accusation conviction and confinement.*

**Key Words:** Women, Marginalized group, and Custodial Provisions.

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## **Introduction**

The women in Indian society are treated with respect and dignity. They are considered to be the preservers of social norms, traditions, customs, morality, and cohesiveness in the family. It is common belief in the Indian society that the role women are confined to home. She dedicates her life in serving all members of the family. Her happiness lies in the well-being of other members of the family; her success lies in the success of members of family. Women have the less opportunity to mix with other people other than members of the family. The family system in India is patriarchal in nature. Eldest male member heads the family. Family is identified by the family name or in the name of head of the family. Women have a subordinate and supporting position to men in the family. As a girl she is protected by father, as a wife by the husband and as an old person by the son. A woman in the family is protected by the male members. Their involvement in criminal activities is at a minimal level comparing men. Male criminality is widely discussed and has always generated interest in Criminology and lot of research work is done on this area.

The topic of women crime has begun to draw much attention due to renewed interest in women and economic development. The role of women in Indian society has under gone considerable change since two decades leading to a greater participation in criminal activities by them.

The thinkers like Britton (2000), Pollock, Mullings and Crouch (2006) describe the female offenders as invisible; based in part on their minimal numbers within the system. Vito, Germaro F. and Ronald H. Holmes (1994) opine that female offenders are considered inferior and their crime insignificant. One of the NGO Sudhar situated in Bhopal and dealing with the rehabilitation of women prisoners State that “any crime committed by women is not independently done; they are most of the time accompanied by other male members of the family or a relative or a friend. There

are hardly any crimes, which a female commits herself (Strans, Murray A., Richard J Gelles, and Suzanne K Stienmetz (1999) view that women perpetrate minor violence in domestic relationship at an equal rate to men. Wolf, Rosalie S (1996) opine that domestic battering in elderly couples may be perpetrated more often by women.

The attempt on the study of female criminality was made by Rao V and Sethana, M. J. from the sociological point of view. Rao, found that the rural people are guided by superstitions. According to him, frequent murders of human lives as sacrifices to deities, are likely to be committed with the belief that human sacrifices reveal hidden treasures. Expressing his views, Sethana (1964) points out that *“women spend considerable period of their time in their houses. Their Criminal feelings likely to be focused on their own kith and kin and the devices by which they commit crimes may either be kitchen utensils or domestic tools”*.

Singh, A (1981) studied self and personality characteristics of 75 female prisoners convicted of murders and equal number of female prisoners convicted for petty crimes from the states of Punjab, Harayana and U. P. His study revealed that criminals are significantly different from non-criminals. He opined that criminals exhibit neurotic traits such as anxiety, irritability, hostility, maladjustment and insecurity due to lower self and social esteem indicating lack of self-regard. The study conducted by Sanyal (1986) on the women convicts of Nari Bandi Niketan, Lucknow reported that considerable depression among married female prisoners was the cause for criminality. The research work on female criminality in India began with the study of women offenders in Uttar Pradesh by R.K. Sharma in 1963. He highlighted the social and psychological factors in female crime. Ram Ahuja initiated the research work on women criminality in 1967-68. He has presented a new theoretical frame work on the causation of women criminality and developed ‘Social Bond Theory’ to explain the etiology of female criminality. His hypothesis of “family maladjustment” or “role conflicts in the family” was supported in the other Indian thinkers

like R. K Sharma, Rani Bilmoria, Mishra and Gautam, Eshwar sheriff and Sekar, Sanyal and Agarwal, and Neera Kukreja Sohoni in 1970s , 1980s and 1990s. The study of female convicts in Andhra Pradesh by Rani Bilmoria (1980) on the female convicts in Andhra Pradesh explained the crime in terms of 'unhealthy marital and family relations' which Ahuja ( 1969) termed as 'family maladjustment as the main cause of crime'. The studies of Eswrar Sharif and Sekar (1982) on the female inmates of Remand Home, Bangalore pointed out that defective family environment, faulty discipline by parent, broken homes, parental rejection, etc are the cause for deviant behaviour. The study of Mishra and Gautam (1982) Pointed out that female criminality is largely due to broken homes and crises of changing social values. The study conducted by Sanyal and Agarwal (1982) about the female convicts found that feeling of insecurity and feeling of low self esteem are the cause for female criminality. Neera K. Sohany (1986) and B.R. Sharma (1993) also agreed with the hypothesis of Ahuja that 'family maladjustment as the cause of female criminality.

As women's role in the society change and women are more exposed to various opportunities associated with male role, the degree of increase in female criminal behavior will be on par with male criminality. Women's participation in crimes will increase as their employment opportunities expand according to their interest, desire and definition of self-shift from traditional to a more liberal one. We find that the numbers of domestic violence are increasing which is found to be mainly due to the dowry system; by this the rebellion attitude is developed that has forced women to commit crime. Crime is an ever-present condition such as sickness, disease and death. It is a perennial as spring and as recurrent as winter. Criminal is not born, but is a by-product of social factors. The main causes of crime may be broadly divided in five main categories viz; Social, Economic, Physical, Geographical and Political. Among the social causes i.e. Family, defective education, Cinema, Newspaper, Absence of social control, use of alcohol, prohibition of widow remarriage, defects of marriage and dowry system etc, and the Economic causes i.e. poverty,

unemployment, Industrialization, Urbanization, etc are found to be contributing a major part in the commission of the criminal act.

The National Crime Records Bureau, New Delhi provides crime Statistics every year. The crime statistics of 2012 reveal that in all cognizable crimes comprising 2387188 Indian Penal Code (IPC) crimes and 3654371 Special and Local Laws (SLL) crimes were reported.

A recent report of the United Nations Secretariat's survey on female criminality revealed that in developed as well as in developing countries the crime rate among women shows a tendency either to approach nearer to or exceed that of males. Incidence of crime has generally shown an upward trend. It is also noticed that like the male counterparts, a number of women arrested have also been rising each year.

The **Crime in India reports** that the number of females arrested for criminal activities in 2003 were 1, 51,675, and this shot up to 211578 in 2012. Also, interestingly, the nature of crimes committed by them too, is gradually witnessing a sea change- from softer crimes like drug trafficking and prostitution to heinous crimes like murder. 3439 women were arrested for murder in 2005 and 4197 in 2012. The criminality of a woman is masked by the role she plays as a mother, as a wife, as a nurse etc. The society values this concept and tends to look sympathetically towards the activities of the women. With the rise of equality, educational status and freedom, petty crimes are reported against them. Serious note of crimes of women are not taken in a traditional society due to the role she plays in the family and the society. They also capitalize on their charm and femininity. There is an increase of crime rate among women due to the changing social status. This is known from

the all India crime statistics provided by the National Crime Records Bureau (NCRB), New Delhi. The NCRB brings out annually the Crime Index known as 'The Crime in India Report'. This report provides the number of female arrests from 2001 to 2012. The number of female arrested for criminal activities in 2001 for cognizable offences under IPC were 1,44,608 and this shot up to 211578 in 2012. There was an increase of 66970 crimes of female in Eleven years time. It is evident from the figures available that the nature of crime committed by women is gradually witnessing a sea change from softer crimes like drug trafficking and prostitution to heinous crimes like murder. 3434 women were arrested for murder in 2001 and 4197 women were arrested in 2012. There was an increase of 4.6% to 6.4% in (2001to2012) (NCRB figures). It was also found that most of the crimes committed by females are ones in the age-group of 35-45 years.

### **Methodology**

The study consists of both primary and secondary data. The primary data was collected through a structured Interview schedule .The secondary data was collected from various books, journals and through web information. A sample of 165 female prisoners (Convicts) from the seven Central Prisons of Karnataka was taken for the study.

### **Objectives:**

- To study the factors responsible for commission of Crime among women.
- To study the age group of the women involved in Criminal activities
- To study the facilities provided to the women prisoners in the Prison
- To study the provisions related to the children of Women prisoners.

**International Scenario:**

Half of the world's prison population of about nine million is held in the US, China or Russia. Prison rates in the US are the worlds highest, at 724 people per 100,000. In Russia the rate is 581. At 145 per 100,000, the imprisonment rate of England and Wales is at about the midpoint worldwide. Many of the lowest rates are in developing countries, but overcrowding can be a serious problem. Kenyan prisons have an occupancy level of 343.7%

**National Scenario:**

**Persons Arrested for Total Cognizable Crimes under IPC in India from 2001 to 2012**

SL	Year-wise	Persons Arrested for Total Cognizable			Percentage of males	Percentage of Female
		Male	Female	Total		
1	2001	2526932	<b>144608</b>	2671540	94.6	<b>5.4</b>
	2012	3058438	<b>211578</b>	3270016	93.1	<b>6.9</b>
<b>Total</b>						

**State Scenario:**

Number of Persons Arrested under Different IPC Crimes by Sex in Karnataka from 2001-2012

Sl No	YEAR	MALE	FEMALE	TOTAL	% FEMALE
1	2001	151112	9038	160150	5.6
2	2012	150861	13974	164835	8.5

**An overview of Prisons and Prisoners in India**

Sl.No	Type	Number	Capacity	%
1	Central Jails	123	1,37,249	41.2
2	District Jails	333	1,24,768	37.5
3	Sub Jails	809	50,908	15.3
4	Women Jails	19	4,271	1.3
5	Open Jails	44	3,766	1.1
6	Borstal Schools	21	2,218	0.7
7	Special Jails	30	9,279	2.8
8	Other Jails	3	323	0.1
	<b>Total</b>	<b>1382</b>	<b>332782</b>	<b>100</b>

**Total Number of Jail Inmates as on 31.12.2011 :**

Male : 3,56,902 (95.7%)      Female : 16,024 (4.3%)      **Total 3,72,926**

**Occupancy Rate**

**2009 – 122.8% 2010 – 115.1% 2011 – 112.1%**

**Convicts :**

Male : 1,23,633 (96.1% of total convicts)

Female : 4,959 (3.9% of total convicts)

**Total 1,28,592 (34.5% of total inmates)**

**Undertrials:**

Male : 2,30,266 (95.5% of total undertrials)

Female : 10,934 (4.5% of total undertrials)

**Total 2,41,200 (64.7% of total inmates)**

**Detenues :**

Male : 2,363 (96.4% of total detenues)

Female : 87 (3.6% of total detenues)

**Total 2,450 (0.7% of total inmates)**

**Others :**

Male : 640 (93.6% of total others)

Female : 44 (6.4% of total others)

**Total 684 (0.2% of total inmates)**

**Foreigners**

**Convicts : 2,020**

(Male : 1,858, Female : 162)

**Undertrials : 3,601**

(Male : 3,230, Female : 371)

**Detenues : 137**

(Male : 133, Female : 4)

**PROVISIONS FOR WOMEN PRISONERS.**

Women’s involvement in crime has shown a dramatic change. This situation has encouraged researchers to conduct studies on female criminal behavior and women’s involvement in the present social, cultural, economic and political milieu of India. In recent years women have been participating in various aspects of social life, which may be one of the factors for the increase in crime among women.

The living conditions of different Central prisons in Karnataka has been depicted .165 women prisoners are housed in seven Central Prisons of Karnataka. There is no separate Central Prison for women in Karnataka State. Out of 165 women prisoners 138 ( 84%) of the prison inmates opine that the prisons are overcrowded.121 ( 73%) women prisoners point out that clothing facilities in the prison is sufficient. 142 (86%) prison inmates state that there is lighting facility in the prison . majority of the women prisoners 147 (89%) expressed that the food supplied to them is satisfactory.

**Living conditions in the Prison.**

Sl.No	Facility	Yes	No
1	Separate women ward	165 (100 %)	0 (0%)
2	Over crowded	138 (84%)	27 (16%)
3	Adequate Clothing facility	121 (73%)	44 (27%)

<b>4</b>	<b>Adequate Light facility</b>	<b>142 (86%)</b>	<b>23 (14%)</b>
<b>5</b>	<b>Adequate Food</b>	<b>147 (89%)</b>	<b>18 (11%)</b>

\*Figures in the bracket indicate the %.

### **Prison Life.**

The details on the prison life of the women prisoners in different Central prisons in the State has been given. Majority of the prisoners 88% expressed that there is discipline in the prison life. 82% of the prisoners said that they were allowed to meet their family members. It is also accepted fact that the prison life is monotonous life. 58% of the inmates also expressed their view that they are all living like members of the family.

### **Inmates Opinion Regarding Prison Life**

<b>Sl.No</b>		<b>% YES</b>	<b>% No</b>
<b>1</b>	<b>Inmates live like family members</b>	<b>58</b>	<b>42</b>
<b>2</b>	<b>Discipline in Prison</b>	<b>88</b>	<b>12</b>
<b>3</b>	<b>Differential treatment b/w UT and Convict</b>	<b>6</b>	<b>94</b>
<b>4</b>	<b>Visit by family members</b>	<b>82</b>	<b>18</b>
<b>5</b>	<b>Monotonous prison life</b>	<b>98</b>	<b>2</b>

The major pain of imprisonment is the separation from children and the inevitable disruption of personal contacts with family members; apart from deprivation of liberty and deprivation of security. The foremost thought, which constantly haunts the minds of these prisoners, is about their future. They are extremely worried about where to go after their release from prison. They do not think that the family members welcome them on their return. Due to social stigma and different attitude of family members, they find it difficult to go back to their homes and, therefore, remain perturbed about their future. Majority of the

inmates were worried of care & protection of their children. They were concerned about the treatment of their children by the in laws and other family members in their absence

**Number of Children living in the jail**

Sl.No	Central Prison	Children
1	Bangalore	7
2	Mysore	2
3	Bellary	2
4	Belgaum	2
5	Gulburga	0
6	Bijapur	0
7	Dharwad	1
<b>TOTAL</b>		<b>14</b>

**Programmes for Children and Women:**

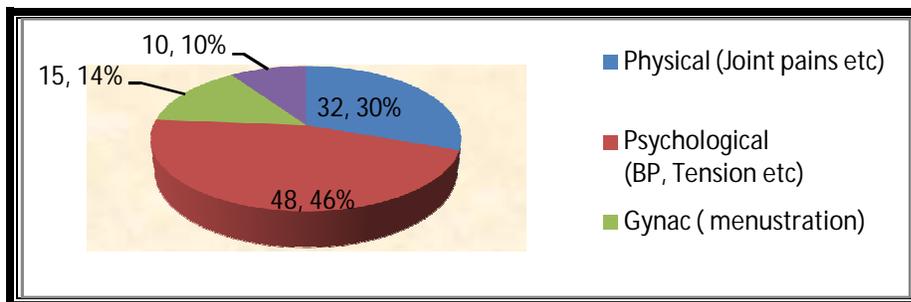
The infant children also live with the mother in the prison. The children are dependent on the mother for feeding. Hence the provision has been made to keep the children with them during their stay in the prison. In all 14 children were living with their mothers in the prisons.( 7 Central Prisons)

A few programmes for rehabilitation of women prisoners have been implemented in jails. However, maximum 7 children were living with their mothers in the Parappana Agrahar, Central Prison, and Bangalore. Various programmes have been devised by the prison authorities for the children and mother. The coverage and effective implementation of such programmes is limited and mainly confined to central jails and special jails. The educational, training, and professional job oriented skills enhancing programmes are being run in jails for women prisoners. However, the trades are traditional such as typing, data entry, sewing, knitting, preparing of furniture etc. All jails have arrangement through support of district government hospitals for medical and health check up, treatment, safe delivery of pregnancies etc. of women prisoners. The research also covered the survey regarding the health problems as shown in the table .

**Health Problems of Prison Inmates.**

	Type of Problem	% YES	% NO
1	Physical (Joint pains etc)	32	68
2	Psychological (BP, Tension etc)	48	52
3	Gynac ( menstruation)	15	85
4	Any other ( Diseases)	10	90

Above Table provides the information relating to the health problems of the respondents. It was found that 32% of the respondents suffered from Physical joint pains, 48% faced Psychological problems ( BP Tension etc) 15 % were suffering from Gynac problem and 10 % from other problems i.e diseases like AIDS, cancer, asthma etc.



It has been attempted to ascertain as to how the children of women inmates are treated in prisons so what extent their basic needs in terms of food, clothes, health care, education, recreation etc. are taken care of by the jail authorities, what are the facilities, which are extended to them for their proper growth and development and above all, the kind of environment that has been provided to them to grow as a healthy and productive citizens .To obtain information on the treatment of children and mother in the prison the mother inmates of the children were mainly contacted They were asked about the facilities provided to them in the prison. The facilities include food, health care, education, crèche facility, availability of playground and recreation. Special health care facilities in form of regular health checkup and providing preventive measures becomes imperatives

particularly when the children are required to live with their mothers in prisons in the same environment where other adult inmates also live. In such situation, their vulnerability to diseases increases. Playgrounds, which are generally available in most of the jails, in some form or other, cannot cater to the needs of infant children because they are not specially designed for them to suit their requirements. It was reported that jails have adequate facilities for health check up and immunization of children against major diseases. Details of immunization against major diseases are given in Table below.

### Immunizations of Children against Major Diseases

% Awareness	T.T	Polio	Measles	B.C.G	D. P.T.
.% YES	96	100	76	46	80
% NO	0	0	0	10	6
Don't know	4	0	24	44	14
Total	100	100	100	100	100

( This information was collected only from the respondents whose children were staying with them in the Prison.)

The above table gives the details of the Immunizations (against Major Diseases) of Children who are staying in the prison along with their mothers .All were aware of the polio, whereas 96 % knew about TT,76% were aware of Measles 46 % about BCG and 80 % were aware of DPT. It is also noted that \$4% did not even know that there is BCG facility provided in the jails.24% were unaware of Measles,14 % DPT and 4 % of the respondents said that they were unaware of the TT being provided in the jails.

### Facility for Child Development in Jail

Facility Provided	Yes %	No %	Very limited %	Total
Recreational facility	52	10	38	100
Educational Facility	82	0	18	100

<b>Vocational Training</b>	24	59	17	100
<b>Skill development program</b>	22	8	70	100

The facilities provided for child development in the central prisons of Karnataka has been depicted in table 3.26. It shows with regard to the Recreational facility 52 % of the respondents agreed that it was provided, 38% said that it was very limited and 10% were of the opinion that there was no recreation at all in the jail. With respect to the educational facility a majority of them i.e. 82 % agreed that it was provided and 18 % said that it was very limited. regarding the Vocational training 59% of respondents opined that it was lacking 24% were of the opinion that training was provided and 17 % said it was very limited. 70 % of the respondents were of the opinion that very limited skill development programmes are organised, 22% were satisfied and agreed to the development programmes and 8% opined that it was totally nil.

#### **Vocational Training in Prisons:**

The prison inmates are given the Vocational training to engage themselves in fruitful pursuits during their prison term. Such training not only inculcates in them a sense of value for one's work, but also helps the prisoners to learn the work that enable them to follow a honest work and earn a decent livelihood after their release from prison. Apart from regular vocational training in various trades and occupations, and the educational training schedules, correctional institutions in India have also started a large number of programmes to improve the personality and mindset of the prisoners. These are programmes on anger management, social skills training, counseling against drug and substance abuse, Yoga, Transcendental Meditation and Vipasana. Many prisons in India have tried these new approaches that have found to be extremely effective in changing attitudes of prisoners. Some of the NGO,s engaged in such programmes are the Art of Living. Jeevodaya etc. Encouraged by the effectiveness of such modules in one prison, other prisons in the country lose no time in adopting the same or similar modules. Many of these programmes are carried out by the prison

authorities with the help of non-governmental organisations, which have expertise and trained resource persons in such fields.

### **Vocational Training in Prisons.**

<b>Sl. No</b>	<b>Vocational Training</b>	<b>No of Respondents benefitted</b>	<b>%</b>
1	Tailoring & Embroidery	32	19
2	Soft Toy Making	21	13
3	Agarbatti	54	33
4	Others	11	7
5	None	47	28
	Total	165	100

The Vocational training given to the inmates of seven Central Prisons of Karnataka has been depicted in Table. The inmates are mainly engaged in tailoring and embroidery, making of Soft toy, Agarbattis, and other miscellaneous items. Out of 165 inmates lodged in different Central Prisons of Karnataka 54 (33%) inmates were engaged in Agarbatti making followed by tailoring and Embroidery i.e 32 inmates (19%). The soft toy making required some skill where 21 inmates (13%) were engaged in such training. The purpose of prison labour is

- To develop discipline and help the inmates to lead self disciplined life
- To maintain both - physical and mental health of the inmates
- To make the prisoners fit to earn their livelihood after their release
- To give a punitive value for punishment.

### **Facilities for Women Prisoners in Karnataka.**

#### **ACCOMMODATION:**

Karnataka state has a total number of 102 prisons of various classification with an authorized capacity of 13100. Out of which 12088 for male prisoners and 1012 for female

prisoners. There were 14 children below the age of 6 years along with their mother prisoners in the state. Proper accommodation with proper ventilation is provided to the inmates, sufficient space and with good lighting system. The barracks are of the capacity of 20 inmates with 3.71 sq. metres of ground area for each inmate, whereas in some of the prisons where the strength is more in the. Bangalore, Mysore and Belgaum prisons the space provided is 2.25 sq metres in an average. The barracks are 16 ft in height with big windows so that there is sufficient air, light and proper ventilation and also two meters width varanda is provided. As there is water problem everywhere, this problem was also noticed in all the prisons, therefore the inmates were advised to take bath, wash their clothes, utensils etc when tap water was available within the specified time. Sufficient artificial light and fan facilities are also provided to all the inmates.

#### **CLOTHING AND BEDDING: -**

Every prisoner is provided with proper clothing and bedding, utensils according to prescribed scale. They are also provided soap, oil every week. It is very important to note that the women prisoners are also provided with the sanitary napkins whenever necessary. To keep their clothes and other necessary belongings they are provided with the boxex instead of shelves.

#### **EDUCATION AND LIBRARY:**

According to Tappan,P.(1951) “The objective of prison education in its broadest sense should be the socialization of the inmates through varied impressional and expressional activities with emphasis on individual inmate’s needs. The objective of this programme shall be the return of these inmates to society with a desire to conduct themselves as good citizens

and with the skill and knowledge which will give them a reasonable chance to maintain themselves and their dependents through honest labour”.

In order to achieve the above objective the prison education in prisons of Karnataka is framed to acquire

- Fundamental academic education designed to provide intellectual tools and training.
- Vocational education is designed to give training for an occupation.
- Health education designed to create awareness regarding personal and community hygiene.
- Cultural education for intellectual and aesthetic satisfaction.
- Social education for reformation, rehabilitation and resocialisation of the prisoner to adjust with the society after the release.

In different prisons of Karnataka it is observed that no restriction is imposed on prisoner for reading the books. The prisoners are allowed to use materials available for their recreation or for improvement of their skills and development of personality They are permitted to pursue their studies through open universities. The classes are conducted inside the prisons to educate the illiterate prisoners. Prisoners have enrolled for various courses through IGNOU (Indira Gandhi National Open University) and get through in the respective courses. Fifty nine prisoners have enrolled for different higher education courses like B.A, M.A, Diploma in Journalism, Post Graduate Diploma in Business Administration.. Bangalore University has started a novel programme to impart formal education to prisoners in distance mode. The Directorate of Distance Education and correspondence courses of Bangalore University in association with prisons department has taken the responsibility of extending benefits of its different courses to 500 prisoners free of cost. The university started this scheme in October 2006. This scheme is implemented it in Bangalore, Belgaum, Gulbarga, Bellary and Bijapur. According this programme prisoners are permitted to pursue their studies and enroll to

different Graduation and Post Graduation Courses. They are provided with the daily newspapers, periodicals, magazines in all the regional languages along with TV/Radio and World Space Radio for their recreation and as well as to link their mind with outside society. Suvarna Akshara Andolana and Akshara Kalika Sibhira in coordination with District Literacy Committee 18 day's literacy camps Adult Education Programme, English Teaching Camp, are all organized for the benefit of inmates at central prison.

The distribution of offenders by their educational background highlighted the fact that an overwhelming majority of women offenders were illiterate (57 percent) only a statistically insignificant fraction of the women offenders were educated above high school level. Suvarna Akshara Andolana: Akshara Kalika Sibhira: In coordination with District Literacy Committee 18 day's literacy camps were organized at Central Prison, Bangalore, Gulbarga, and other prisons. Adult Education Programme. Adult Education Programme was organized at Central Prison, Mysore under Social Responsibility Scheme and free slates, Chalks and Books were distributed. Apart from this Spoken English classes have been organized for the benefit of inmates at Central Prison, Bangalore and Mysore and it is very interesting to note that 71 inmates have been trained in the first phase of this course. In other central prisons i.e Belgaum, Dharwad, Bellary, Bijapur and Gulbarga elementary education is provided to all the ill-literates. They have been made to understand the importance of basic education so that there is no resistance by the inmates for the same. Provision of books and news papers is made in all the central prisons.

**DIET:** Nutritious food is served as per prescribed scale depending upon food habits of the prisoner. Varieties of breakfast items are given for breakfast every day. The quantity of

breakfast earlier was 180 grams now it is increased to 250 grams. Every inmate is provided with a stainless steel plate and a glass. The inmates would have their breakfast, lunch and dinner in the open space or in their barracks. The details of breakfast issued daily are as follows:-

Monday- Uppittu

Tuesday- Avalakki (Beaten Rice)

Wednesday- Chitranna (Lemon Rice)

Thursday- Vegetable Palav

Friday- Uppittu

Saturday- Avalakki

Sunday- Puliyoogare (Tamarind Rice)

Ragi balls or Jowar or Wheat chapattis and rice with sambar are given for the prisoners for mid-day and evening meals. In addition to the above items, buttermilk is also given for supper. Food is prepared by the prisoners in the prison kitchen under supervision. The Department feels that the launch of ‘ Saviyoota’- literally meaning “ tasty food” in Kannada will usher in an era of tastier, cleaner and mere nutritious food to prisoners. Every illiterate prisoner is being advised to undergo literacy through adult education programmes and literate prisoners are allowed to persue higher studies.

### Living conditions in the jail

Sl.No	Facility	Yes	No
1	Separate women ward	165 (100)	0 (0)
2	Over crowded	138 (84)	27 (16)
3	Adequate Clothing facility	121 (73)	44 (27)
4	Adequate Light facility	142 (86)	23 (14)
5	Adequate Food	147 (89)	18 (11)

\*Figures in the bracket indicate the percentage.

Table gives the picture of the facilities provided to the respondents inside the prison. clearly indicates there is a separate womens ward.84% of the respondents accepted that it

was overcrowded, 72 % were of the opinion that they were receiving clothing facility, 86 and 89 % respectively depicted that they received required light and sufficient food.

### **MEDICAL CARE:**

Every prisoner on admission is subjected to detailed medical examination and is classified according to prevailing rules. Every prisoner is entitled to free healthcare special treatment, dental / eye care and sick prisoners are being treated regularly. The female prisoners have been provided with adequate and sufficient medical facilities and treatment with suitable medical diet to be served to the sick prisoners on the recommendation of the medical officer. The sick prisoners needing higher investigation, treatment and surgery are referred to higher medical centers for specialized treatment. Minilabs, Urinary Analysis kits, Ophthalmic Scopes, X-ray and ECG machines are set up for better medical treatment of sick female prisoners. Ambulance vans are also being provided to the major jails to take serious sick prisoners to the outside hospitals round the clock. Non Governmental organizations are doing yeoman service in augmenting the health services in prisons in recent years. Every prisoner is entitled to free healthcare special treatment, dental / eye care and sick prisoners are being treated regularly

### **TRAINING:**

Training in Knitting, Tailoring, Embroidery, Basket making, Dress designing, Fabric Painting, Candle Making, Agarbatti manufacturing, bag making, bakery products making, leaf cup making, Midwife and Home Nursing Training etc., are given by the jail authorities in association with Non Governmental organizations. Sewing machines have been issued to jails under modernization of prison administration schemes. The women prisoners are

usually trained in Agarbatti making which is very easy ,so that all the prisoners get a chance to earn wages.Apart from this the women are also trained in skilled work like tailoring, embrodiery,soft toy making,imitation jewellery,candle making ,bouquet making from artificial frowers etc. Vocational training in different trades is one of the important reformative measures to rehabilitate the prisoners for their post prison life. They are allowed to participate in recreational activities, Yoga classes and indoor and outdoor sports. The Wage-earning scheme will facilitate prisoners to accumulate the sizable amount in their account during their stay in the prisons. This will help for their rehabilitation after their discharge from the prison .

#### **LEGAL ASSISTANCE:**

In coordination with the District Legal Service Authorities, Free Legal Aid Camps have been organized regularly in all the jails to create legal awareness among the prison inmates and also to assist them to defend their cases in the respective Courts. With a view to provide Legal Service to the prison inmates, a Legal Service Center has been started at Central Prison, Bangalore in association with Karnataka State Legal Service Authority, District Legal Service Authority, Bangalore Rural and Bangalore Advocates Association.

#### **COUNSELING:**

Counseling is done by NGOs both individually and in groups, allowing prisoners to bring out their feeling of anger and hatred, enable them to accept the realities of their present situation in life, giving them hope and courage to face the challenges of future.

#### **YOGA AND MEDIATAION**

In order to transform the lives of Prisoners Yoga and Meditation classes are conducted regularly by some NGO's in all the Prisons.( Art of Living Yoga Meditation, Bangalore, Vikthivikar Kendra India Jeeva Nagar, Bangalore are some of the NGO's engaged in this task.

### **RECREATION:**

Periodical meditation courses, cultural programmes, recreation through TV/ Radio, etc., are some of the important reformatory measures adopted by the Prison Department for improving the living conditions of prisoners. Every prisoner is allowed to observe the tenets of their religion, and attend religious functions and prayers. Prisoners are also trained in theatre art and also encouraged to stage dramas. World Space Radios have also been installed at Central Prison, Bangalore, Mysore, etc and it is proposed to extend the facilities to all the remaining jails. Karnataka is one of the pioneers to introduce production of UTPs through the Video Conferencing System presently installed at 7 Central prisons i.e. Central Prison Bangalore, Belgaum, Bellary, Bijapur, Mysore Gulbarga and Dharwad and respective Courts with the objective to dispense with the need of physically producing the under -trials in Courts for adjournments and/ or extension of their judicial remand.

**Prison Panchayat system:** It is a system that offers principles of democracy in the prison among the prisoners. The Parole and Furlough are the incentives provided to the prisoners to meet kin and kith, and to rebuild conducive atmosphere for their post prison life. Remission system rules made under Section 63(2) (e) of the Karnataka Prisons Act, 1963 to regularize the Shortening of sentence by the grant of remission.

As per the Government order No: HD 298 PRA 2008 dated 18.03.2011 wage rates of prisoners have been enhanced which are mentioned below:

- **Unskilled Prisoners** - **Rs 70**
- **Skilled Prisoner** - **Rs 80**
- **Highly skilled prisoner** - **Rs 90**

### **Rehabilitative Measures of Women Prisoners.**

According to the All India Committee on Jail Reforms 1980-83 “The women offenders in India face peculiar problems of rehabilitation during their post release period. Indian social customs make women ex-offenders more vulnerable.

### **Robert Green Ingersoll opines that.**

‘The prisons are full; the courts are crowded, the officers of the law are busy, and there seems to be no material decrease in crime. It is impossible to make the penalty horrible enough to lessen crime...The same faces appear again and again at the bar. Let us remember that criminals are produced by conditions, and let us do what we can to change the conditions...’

It is over a hundred years since these words were spoken by the American political reformer, and the message is as relevant today as then.

### **The 3 ‘R’ Theory for Rehabilitation of Prisoners**

**Release, Renewal and Rehabilitation** are the three main ingredients that equip a prisoner to lead a normal life.

**Release:** It is setting free physically and emotionally, It is an ongoing process, which includes creation of the following qualities in a prisoner.

- Hope in life – through listening to.
- Forgiveness – towards those responsible for their sad plight.
- Strong will power – to restore lost vigour.
- Self transformation – giving up wrong ways.

**Renewal:** It is to restore in/her to their original vigour in body, mind and soul through:

- Mental resetting – by motivating him/her to cultivate positive attitudes towards life using new articulations.
- Letter writing – to express forgiveness to enemies and seeking forgiveness of near and dear.
- Visualizing good in others and self – through optimism and expression of good qualities.
- Work therapy - to counteract destructive tendencies and build creativity.
- Work therapy - to counteract destructive tendencies and build creativity.
- Prayer to experience God’s caring love.
- Living in the present –To face challenges and reality of life one should learn in living in the present..
- Confidence in oneself – to begin life anew.
- Message of nature – to mitigate strains and stresses of life.
- Family counseling volunteers to stimulate forgiveness and acceptance of the prisoners by family members.

**Rehabilitation:** It’s re-training the prisoners for normal life, it includes-

- Improving job skill and finding employments.
- Re-integration into one’s family and building family ties.
- Contact with local police so as not to allow suspicion to further crime, harassment or re-booking.
- Follow-up in order to sustain the ex-convict in normal life

**Rehabilitative Schemes.**

Community participation in correctional activities can be divided into two forms:

- Community based treatment programmes for the inmates; and
- Involvement of the community with institutional correctional work, after-care and rehabilitation of inmates.

The objectives in both these forms of public participation are the same i.e. to motivate and help the offender to re-habilitate himself in the society as a law abiding citizen. The first

kind of public participation, the community based correctional programmes, have grown manifold with an emphasis on correctional philosophy by transforming revenge and retribution to reformation and rehabilitation.

### **Findings of the Study:**

Women offenders are mainly from the middle age group of 30-40 years. In some cases, women offenders were found to be belonging to lower age group i. e. 20-30 Women offenders come from all the age groups and there is correlation of age with women criminality.

Majority of the women offenders were found to be Hindus (79 percent) followed by Muslims (15 percent ) and Christians ( 6 percent) .

Majority of the respondents were coolies ( 35%) followed by the house wives (30%). It clearly indicates the economic status of the respondents. Business and Agriculture accounted for 13 % each followed by the Government employees who constituted a very small proportion of 4 % .Apart from these there were other categories who comprised of 5 %.

69 percent women offenders belong to rural areas and 31 percent to the urban area.

Married offenders accounted for 95 percent of the total offenders and only a small proportion of 5% were unmarried. Of the married women 96 % were arranged marriages and only 6 % were love marriages. Taking the age at the time of marriage it was found that maximum number of respondents had early marriage i.e 58 % got married before 20 years of age which shows that they got married even when they were not in a position to handle the responsibility of the family or even when they did not know the meaning of marriage.

Educational background highlighted the fact that an overwhelming majority of women offenders were illiterate (57 percent) only a statistically insignificant fraction of the women offenders were educated above high school level.

Analysis family structure in terms of its size revealed 34% of the respondents did not have children,5% have one child,32% have two children,19% have 3 children and 5 % of the respondents have 4 and above 5 children .It is quite interesting to note that though majority

of the respondents are illiterate, come from rural background still the number of respondents with more than two children is considerably less.

Living conditions – The study revealed that 81 percent women offenders were belonging to joint family and only 19 % belonged to nuclear families .It is also evident from the survey that 94% of the respondents had their own house and only 6% stayed in rented house and as far as the type of house was concerned they are mainly living in Semi pucca houses (75%)which also reflects the economic condition of the family.

Economic aspect of the respondents shows that majority of the respondents 88% belonged to lower economic group and their (Monthly Income less than 10000) very negligible group belonged to the middle and higher income group.

As far as the Criminality of women recidivism was very negligible .93 % were first offenders and only 7% committed crime more than once.

The nature of criminality by women implied that the majority of women prisoners were imprisoned due to Economic (50 percent) cause and Social (31 percent) cause. This means that women criminality is more confined to economic and social causes

Majority of the crimes committed by the respondents were in group of 2-3 members (69%) followed by 25 % who committed alone and 6% committed in group of more than 5 members.

The study showed most of the crimes committed by women were covered under Sec 302 IPC 44.2 % ,followed by Sec.498 IPC 10.9 % , Sec.309 IPC 7.2 % Sec 448 IPC 5.4 % ,Sec120B IPC, Sec 395IPC 4 .2% each, Sec 380 IPC 3.6% , 3% each of Sec 392, 364, 149 , 2.4 % Sec 397 and 1.2 % each were under Sec 342,304,409,138,307,427,396 IPC the remaining 1% comprised of other categories. The above analysis clearly shows that women criminals though in small number compared to men are involved in cognizable crime

Karnataka State has no separate prison for women prisoners .However, separate wards in each of the Central Jails are existing. Due to the increased rate of women criminality the female wards in the Central Jails are overcrowded.

Analysis of the prison life revealed 98% felt life in prison was monotonous, though they had visits by family members (82%) and prison discipline is well maintained and 96 % agreed there is no differential treatment between the undertrials and the convicts regarding the facilities provided.

The findings regarding the health problems of the respondents no serious problems were identified.Problems faced by the inmates were like BP(48%) and joint pains(32%) which usually arise if any women is in such a condition Apart from this the other problems were very negligible.

It was reported that jails have adequate facilities for health check up and immunization of children against major diseases. Awareness of immunizations against major diseases was discussed with the respondents whose children were staying with them and it revealed that majority have taken the advantage of this facility .It is interesting to note though illiterate and from rural background there is 100% awareness about Polio,96% of TT,76% regarding meseals,80 % DTP and little low awareness of BCG ( 46%). **(This information was collected only from the respondents whose children were living with them in the Prison.)**

The facilities for development of child showed importance was given to the basic amenities like educational 82% followed by recreational 52% but Vocational training was lacking and skill development was very limited 22%.

### **Vocational Training in Prisons:**

Training of prisoners in different vocations is given a lot of attention in each of the Central Prisons. Such vocational training provides opportunities to the prisoners to engage themselves in fruitful pursuits during their prison term. Such training not only inculcates in them a sense of value for one's work, but also helps the prisoners learn such work as will enable them to follow a honest vocation and earn a respectable livelihood, when they are released from prison. Apart from regular vocational training in various trades and occupations, and the educational training schedules, a large number of programmes to improve the personality and mindset of the prisoners.also have been devised. The programmes like anger management, social skills training, counseling against drug and substance abuse, Yoga, Transcendental Meditation and Vipasana. Many prisons in Karnataka have tried these new approaches and have found the same to be extremely effective in changing attitudes of prisoners.

### **Suggestions.**

The following suggestions have been given to help women offenders to alter their life after their release.

- Since, majority of prisoners belong to the middle aged group, they can be easily redeemed through counseling. They have the stamina and strength to work hard, the details of job opportunities and small business avenues may be explained to them and necessary help may be extended to them through prison aid societies.
- Measures may be initiated for free and compulsory education to the girls and also provide adult education to the adult women. Lectures on moral, ethical, and human values be arranged at regular intervals to convert the mind of the convicted persons that crime does not pay.
- Majority of the prisoners are married, counseling may be given to the members of the inmate's family to treat the woman with respect and dignity after her return from the prison.
- Awareness should be created among the rural people about the severe consequences of commission of crime and its adverse impact on the family.
- Women prisoners – like men – should be informed of their rights under the law. On being brought to the prison, the arrested women should be informed of the grounds of arrest and communication of the arrest should also be sent to the nearest relatives of arrested women.

- Women prisoners should also be allowed to contact their families and communicate with their lawyers, women social workers, and voluntary organizations. Though this facility is available many of the offenders are unaware , therefore awareness should be brought among the offenders.
- Women Voluntary Organizations should be encouraged to be associated with women prisoners to express the problems they facing in the jails.
- Separate jails should be provided for women.
- The hardened criminals should not be clubbed with other inmates
- The prison administration should associate the students of Law Colleges to render legal assistance to women, follow-up cases for bail and other procedures to get relief from the courts.
- The prisoners should be aware of the amount earned by them and, they should have bank accounts where the amount earned by them during the conviction period could be deposited and they should be provided pass book of their bank accounts. The Prison authorities are maintaining the accounts, but the inmates do not know , therefore the inmates should be kept aware of their account.
- Measures like premature release/remission of sentences of women prisoners suffering from serious ailments like Cancer, AIDS, TB, mental breakdown and depression and those above 60 years of age should be implemented.1

## CONCLUSION

It is encouraging to note that the rate of relapse in crime is very low in India as compared to some developed countries. The extent of recidivism in India is not more than 10%. Absence of recidivism shows the nature of Impact of treatment programmes running in prisons for the reformation and rehabilitation of prisoners. A number of follow-up studies have also been conducted to ascertain the state of rehabilitation of prisoners after their release. These indicate very encouraging results. It has come out that prisoners are using the skills, they have learnt during imprisonment, to earn their livelihood after their release from prisons. It would not be out of place to mention here that the Prison Departments are helping the released prisoners in terms of finances and technical know-how for setting up their business. The prisons also follow-up the progress made by them in this regard. The process of after-care and rehabilitation of offenders is an integral part of institutional care and treatment. These two should never be de-linked. The after-care of a prisoner is an extension of the institutional treatment programme; and the administrative machinery for carrying out these programmes is effectively integrated with the department of prisons.

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